

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

VERNIE KENT,

Plaintiff,

8:23CV3059

vs.

KADE WARNER,

Defendant.

**THIRD AMENDED FINAL
PROGRESSION ORDER**

THIS MATTER is before the Court on the Plaintiff's Unopposed Motion to Amend Second Progression Order ([Filing No. 60](#)).

IT IS ORDERED that the provisions of the Court's previous orders remain in effect, and in addition to those provision, case progression order shall be amended as follows:

- 1) The jury trial and pretrial conference remain as previously set in [Filing No. 36](#).
- 2) The deadlines for complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, Plaintiff(s)' rebuttal: **January 2, 2025**.
- 3) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **March 3, 2025**.
- 4) The deadline for filing motions to dismiss and motions for summary judgment is **March 21, 2025**.

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 5) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **March 21, 2025**.
- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 13th day of December, 2024.

BY THE COURT:

s/ Ryan C. Carson
United States Magistrate Judge